IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.555 OF 2005
IN
WRIT PETITION NO.244 OF 2005

Ramesh Chandra Sharma .. .. Petitioner
v/s.
The Estate Officer, National
Textile Corporation (Maharashtra North)
& ors. .. .. Respondents

Ms.Snehal Paranjpe i/by M/s.Mohana Nair &
Associates for petitioner.

Mr.U.M. Mahajan i/by M/s.Divekar & Co. for
res.Nos.2 & 3.

Mr.D.A. Dube for res.No.4.

CORAM : H.L. GOKHALE &
S.R. DONGAONKAR, JJ.

DATED : 13th April 2006

P.C. :

1. Heard the learned Counsel for the parties.

2. The Motion is taken out seeking a direction to comply with the order passed by this Court on 28th February 2005. The grievance of the petitioner is that in spite of that order, the petitioner has not been put back into the premises concerned.

3. Mr.Mahajan appearing for respondent Nos.2 and 3 points out that all that respondent Nos.2 and 3 are asking is to pay the arrears of rent in

the meanwhile. Ms.Paranjpe appearing for the petitioner states that this aspect was not pressed when the matter was heard earlier and the order was passed on that day. Even so, we do not think that there is any error on the part of the respondents to ask for these arrears. We asked Ms.Paranjpe as to whether the petitioner was agreeable to pay at-least part of this amount. She informs that he is in grave financial difficulty.

4. In the circumstances, we do not find any fault on the part of the respondents in not putting back the petitioner in possession. Ms.Paranjpe makes a request that the inquiry proceedings which have been revived be decided at the earliest. Mr.Mahajan is agreeable to get the proceedings decided expeditiously. He requests that six weeks' time may be granted for that purpose. The Inquiry Officer will, therefore, decide the inquiry proceedings by end of May 2006.

5. Motion stands disposed of with the above order.

(H.L. GOKHALE, J.)

(S.R. DONGAONKAR, J.)